

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by striking out all of section 23 (page 9, lines 30 to 41 and page 10, lines 1 to 15 in L.D.) and inserting the following:

‘**Sec. 23. 35-A MRSA §7302**, as amended by PL 2009, c. 68, §§1 to 3, is further amended to read:

**§ 7302. Toll-call rates for deaf, hard-of-hearing, late-deafened or speech-impaired persons**

**1. Rate reduction.** The commission shall establish a 70% rate reduction for usage-sensitive intrastate toll calls made on lines, or via credit cards assigned to lines, used for making calls from certified deaf, hard-of-hearing, late-deafened or speech-impaired persons who must rely on telecommunications devices for the deaf for residential telephone communications. In addition, the 70% rate reduction must apply to all usage-sensitive intrastate toll calls using the state telecommunications relay service. Upon request, this discount must be provided to any noncertified user making calls to a certified user, provided the noncertified user informs the intrastate toll provider of the relevant billed calls made during each billing period. This reduction must also apply to intrastate toll calls made by agencies certified by the Division of Deafness for the Deaf, Hard of Hearing and Late Deafened in the Department of Labor as eligible to receive a discount, while providing vocal relay services to deaf, hard-of-hearing, late-deafened or speech-impaired persons, as well as to community service centers serving deaf, hard-of-hearing, late-deafened or speech-impaired persons certified by the Division of Deafness for the Deaf, Hard of Hearing and Late Deafened of the Department of Labor as eligible to receive a discount. The costs incurred by an intrastate toll provider under this subsection are just and reasonable expenses for rate-making purposes.

**2. Customers qualifying for the reduction.** To qualify for the reduction, a customer must file an affidavit, on a form approved by the commission, with the customer's intrastate toll provider, stating that, due to deafness, hearing impairment or speech impairment, the customer or a member of the household must rely on a telecommunications device for the deaf for telecommunications.

**3. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

- A. "Deaf person" has the same meaning as in section 8702, subsection 3.
- B. "Hard-of-hearing person" has the same meaning as in section 8702, subsection 3-A.
- C. "Speech-impaired person" has the same meaning as in section 8702, subsection 5.
- D. "Telecommunications device for the deaf" has the same meaning as in section 8702, subsection 6.’

Amend the bill by striking out all of section 25 (page 10, lines 26 to 32 in L.D.) and inserting the following:

**‘Sec. 25. 35-A MRSA §7505, sub-§5,** as amended by PL 2009, c. 68, §4, is further amended to read:

**5. Devices.** The requirements of this section may be satisfied by installation of telecommunications devices for the deaf as defined in section 8702, subsection 6, or other devices approved by the Department of Labor, Bureau of Rehabilitation Services, Division of ~~Deafness~~for the Deaf, Hard of Hearing and Late Deafened.’

## SUMMARY

This amendment is being presented on behalf of the Committee on Bills in Second Reading to prevent a conflict by incorporating changes made to the Maine Revised Statutes, Title 35-A, section 7302 and section 7505, subsection 5 by Public Law 2009, chapter 68.